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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\# **CNR No.DLHC010453402026**

\+ W.P.(CRL) 2958/2026

DINESH KUMAR ALIAS KHALI .....Petitioner

Through: Mr. Aman Panwar, DHCLSC along with Mr. Rishi Yadav, Mr. A. Sahay, Mr. Manav Kaushik and Mr. Nakul Shrivastava, Advs.

versus

STATE OF GNCT OF DELHI .....Respondent

Through: Mr. Rahul Tyagi, ASC (CRL.) along with Ms. Priya Rai, Mr. Sangeet Sibou, Mr. Ankit Kumar Tiwari, Mr. Gaurav Chaudhary, Mr. Priyansh Raj Singh, Advs. for State.

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

O R D E R

% 07.10.2026

1. The present petition has been filed by the petitioner, who is currently confined in Central Jail No. 2, Tihar, New Delhi, and is serving rigorous imprisonment for life in case FIR No. 185/2012 under Section 302/34 IPC, PS Mangol Puri, Delhi, awarded by the learned ASJ, Rohini Courts, *vide* judgment dated 20.11.2018. The Criminal Appeal No. 85/2019, preferred by the petitioner against the judgment of the learned trial Court dated 29.10.2018 and the Order on Sentence dated 20.11.2018, was dismissed by this Court *vide* judgment dated 12.10.2022.

2. The Special Leave Petition (Crl.) No. 1250/2023 filed by the petitioner thereafter was also dismissed by the Supreme Court *vide* order dated 05.03.2025, pursuant to which the petitioner surrendered before the

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Jail Authorities.

3. It is submitted that the petitioner has already undergone incarceration for 10 years and 04 months (12 years and 06 months including remission). It is further submitted that during this period the conduct of the petitioner in jail has been exemplary and the petitioner has displayed good behaviour.

4. The petitioner seeks transfer from Central Jail No. 2, Tihar to a semi-open prison under the Delhi Prison Rules, 2018.

5. The petitioner states that he applied for transfer to the Jail Authorities in March, 2026, but no decision was communicated to him. He further states that selection was undertaken in June/July, 2026, but he was not selected and was not informed of the reasons for the same.

6. Attention is drawn to the fact that a punishment ticket was issued against the petitioner by the Jail Authorities on 05.06.2019, which was challenged by the petitioner before this Court. *Vide* order dated 06.08.2026 passed in W.P.(Crl.) 2619/2025, this Court set aside the said punishment ticket dated 05.06.2019.

7. Although the petitioner does not have an unconditional entitlement to transfer, the competent authority is required to consider the representation of the petitioner in this regard.

8. Accordingly, the present petition shall be treated by the Prison Authorities as a representation which shall be placed before the Appropriate Selection Committee for consideration, as per the applicable Rules. The consideration shall be done expeditiously and a reasoned decision shall be communicated to the petitioner, within a period of two weeks from the date on which the Selection Committee convenes.

9. Further, it is directed that the meeting of the Selection Committee be

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convened expeditiously.

10. The petition is disposed of in the above terms.

11. Let a copy of this order be sent to the Superintendent of the concerned Jail.

SACHIN DATTA, J

OCTOBER 7, 2026/r,sd

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